

On August 8, 2022 at 3:58:52 PM, John Davis ([jdavis@piercedavis.com](mailto:jdavis@piercedavis.com)) wrote:

Mike,

I am available for a LR 7.1 conference on August 16 or 17 (as I am out this week). When we hold a conference, I also wish to discuss defendants' motion to stay discovery pending the outcome of defendants' motion to dismiss.

I am copying my assistant on this email. Kindly provide her with times you are available to confer.

Thank you,

John

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**From:** Mike Bush <[bmoc54@verizon.net](mailto:bmoc54@verizon.net)>  
**Sent:** Thursday, August 4, 2022 9:14 AM  
**To:** John Davis <[JDavis@piercedavis.com](mailto:JDavis@piercedavis.com)>  
**Cc:** Barbara Fergusson <[BFergusson@piercedavis.com](mailto:BFergusson@piercedavis.com)>  
**Subject:** Re: Bush v. Carlisle, USDC (D. Mass.), C.A. No. 1:21-cv-11794-ADB

Hi John,

I hope this finds you well.

I'd like to schedule a Local Rule of Civil Procedure 7.1(a)(2) conference by phone to attempt to resolve or narrow these issues:

1. The first set of interrogatories were served on the individual members of the Board of Health. The only response we received was from the Board of Health itself, which is not a party to this lawsuit.
2. The Board of Health raised objections to the interrogatories. Objections are disallowed by Fed. R. Civ. P. 33(b)(4) and Local Rule of Civil Procedure 33.1(c)(1) when responses are overdue as they were.

3. Answers to the other three sets of interrogatories served in May and June on Martha Feeney-Patten, the individual members of the Board of Health, and the Town of Carlisle remain overdue.
4. Production of documents requested in my letter dated June 22, 2022 remain overdue.
5. In our May 17, 2022 Fed. R. Civ. P. 26(f) teleconference, you said you would not accommodate any depositions before the court rules on the motion to dismiss. However, it has been over eight months since the defendants were served with the lawsuit complaint and over two months since we conducted our Rule 26(f) conference. We need to conduct discovery, including depositions, regardless of the court being slow to rule on a motion to dismiss.

Is there a time coming up this week or Monday or Tuesday of next week when you could join me by phone for this conference?

Kind Regards,  
Mike Bush  
Phone: [978-734-3323](tel:978-734-3323)